
1990s

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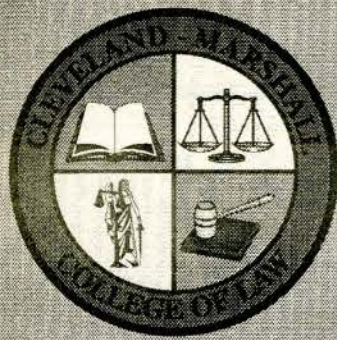
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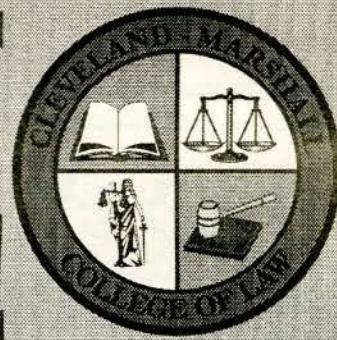
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THE GAVEL



Volume 44, Issue 5 - Cleveland-Marshall College of Law - March, 1996

DEAN SMITH ACCEPTS POSITION AT CALIFORNIA LAW SCHOOL

By Andy Nichol
Staff Writer

In a letter to alumni and key financial supporters, Steven R. Smith, Dean of Cleveland-Marshall College of Law for the past eight years, announced he is leaving. July 1 marks his official departure when Smith will become President and Dean of California Western School of Law in San Diego, a position he accepted after careful consideration.

Dean Smith has been an important figure in the evolution of Cleveland-Marshall. When he came here in 1988, it marked the beginning of many new opportunities for the students of C-M. Dean Smith's mission was threefold: "to provide Ohio with the best-trained and best-educated attorneys possible; to provide the opportunity for people to have access to a very good legal education, whatever their goals; finally, to increase the understanding of the legal profession to the public, the profession and the legislature, which is the research function."

But his accomplishments were not devoid of obstacles. It was only two years ago when the university failed to allocate funds for a new law library that threatened the accreditation of the law school. Dean Smith was instrumental in getting the funding for the library, currently under construction, thus averting possible disciplinary action by the American Bar Association which had been pushing for the new facility. Additionally,

Dean Smith has served as the president of the City Club and has a very distinguished record of pro bono work sponsored by the law school. Dean Smith came here to try and build an institution and to his credit, the law school was given national recognition this year in U.S. News and World Report as being among the top ten schools in Health Law. Said Smith, "The reality is that this school is much better than its reputation."

Reflecting on his years at C-M, Dean Smith had this to say, "I am very pleased with the academic level and sense of community that exists today. A unified effort, by the University and Alumni alike, to allocate the necessary funds to reconfigure the existing library will be extremely beneficial to the law school community."

Former S.B.A. president and past president of the Law Alumni, Jerry Walton said of Smith's departure, "with all of his accomplishments it is no surprise that he was so actively pursued by leading law schools. Dean Smith has been highly supportive in everything we have done." When Smith came to Cleveland-Marshall there was little activity between the alumni and faculty; today the relationship is very solid. The creation of the mentor program allows students access to some of the area's most prominent attorneys. "He [Dean Smith] is what we

hope law students will be," said Walton.

While little is known about a possible successor it is likely that an interim dean will be appointed before Smith's departure in July, at least, until the newly appointed Dean Search Committee selects a successor. The Nationwide search for a new Dean will be extensive. While it is difficult to pinpoint exactly what qualities will determine the successor, Dean Smith will be a tough act to follow. "He encourages discussion from faculty members and is never offended by opposing points of view," said Professor Jack Guttenberg, a member of the Dean Search Committee. "It is an amazing characteristic," he concluded.

Smith's new position will have at least one similarity with his current one. Both law schools are set in an urban environment, but unlike Cleveland-Marshall, California Western is a free-standing private law school that operates without the budgetary restraints of a state-university system, perhaps an enticement Dean Smith was unable to resist.

MEMBERS OF THE LAW DEAN'S SEARCH COMMITTEE

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SEARCH FOR NEW DEAN COULD TAKE TWO YEARS

By Robin Wilson
Staff Editor

Cleveland-Marshall has one of the Country's foremost experts on Law Deanship searches on its faculty. The Association of American Law Schools published a manual on Law Deanship searches in December of 1993 and C-M Professor Victor L. Streib edited and produced the final version of the manual while a Visiting Fellow at the AALS.

In an article published in the Journal of Legal Education in March of 1994, Professor Streib summed up the formula for a successful and happy life as a law school dean. Professor Streib wrote, "It takes someone who will work with others to create a vision for the future of the school; who regards relationships with faculty and students not as management functions, but rather as collegial responsibilities addressing individual needs so that each can be the best that he or she can be; who regards his or her responsibilities to the law school and the university to be in harmony; and

who is capable of using leadership rather than power to help all of the various constituencies work together for the improvement of the law school."

According to Professor Streib's research, Law Dean searches are quite common. As many as one-third of the nation's 170-some accredited law schools are searching for new deans at any given time. C-M has been fortunate in that Dean Smith stayed at the law school for eight years which is longer than usual. Typically, law school deans stay, on average, just over three years before moving on to a new school.

Full scale dean searches last anywhere from one to two years. Committee members entrusted with the responsibility of searching for and finding C-M's new Dean have an arduous and awesome task ahead. The result of their search will impact the law school's future reputation for years to come.

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IF YOU'VE NEVER BEEN THERE BEFORE, OR WANT TO GO THERE AGAIN AND SEE EVERYTHING WITHOUT ALL THE CROWDS OF PEOPLE, THIS IS A GREAT OPPORTUNITY FOR YOU. THE SBA WILL BE SELLING TICKETS FOR BARRISTERS' BALL EACH WEEKDAY IN THE SCHOOL CAFETERIA. CHECK THE SBA BOOTH (WITH THE BIG RED GUITAR) FOR TIMES. IF YOU ONLY GO TO ONE PARTY THIS YEAR, THIS IS THE ONE YOU DON'T WANT TO MISS. WE HOPE TO SEE YOU THERE!

C-M'S ACADEMIC SUPPORT PROGRAM DESERVES RESPECT

By Evelyn Moya
Staff Writer

One of the rites of passage in law school is confronting the meaning of the letters A B C D and F after the December break. January starts with either relief or discouragement upon learning one's graded performance on the first semester's exams. The initial shock at receiving non-A's is debilitating for many first year students who probably have been conditioned to A's all throughout undergraduate years.

Prof. Melody Stewart, Dean of Student Affairs, says that students need to be told that there is a certain skill involved in answering law school essay exams. The law student learns the substantive law through the Socratic method yet, she believes, students fail to realize "that knowledge of the substantive law is not enough to masterfully answer the typical law school exam." In the past, Dean Stewart has conducted review sessions for first year students to prepare them for the mid terms. The sessions included helpful tips on issue-spotting, outlining, and organizing one's arguments under time pressure.

To galvanize her efforts at encouraging students to learn the skills necessary for law school exams, she has reintroduced the academic support program this year. Dean Stewart, a staunch student advocate, has gathered a team committed to act as tutors. A similar program exists at Case Western University. At both institutions, tutors are selected upon the recommendation of faculty members. Typically, to qualify as a tutor, one has to have the requisite GPA and have proven communication skills. Not all A students make effective tutors. Both schools compensate the tutors at a faculty research assistant level. Generally, third year students are chosen to tutor the freshmen.

Information was obtained from Joann Jackson, Dean of Students at Case regarding the Case program. According to Dean Jackson, the tutors at Case are prepared by Prof. Kay Mercer, who oversees the academic support program. The tutors attend a six-hour training session. The tutors form study groups of six to seven students who meet regularly and learn study techniques and practice writing exams.

The program at Cleveland-Marshall this year has four tutors: Selena Castle, Ian Frank, Michelle Simms and Tracy Wilson. Selena, who was also a tutor in 1995, is a natural teacher. She believes that first and foremost, the tutor has to instill self-confidence. She prefers tutoring a group although she will extend herself to a one-to-one tutoring session. Selena advises on outline preparation and is masterful at organizing arguments in the much-preferred IRAC (issue, rule, analysis, conclusion) method. She encourages assertive arguments and counter-arguments during the sessions.

I asked both deans what the impetus was for starting a tutoring program. Dean Stewart is concerned about the number of students who have great potential but who get so disheartened with first year exams. Dean Jackson said the need for an academic support program may be identified by a faculty member who would determine which students should benefit from tutoring. Both programs at C-M and Case are "recommended" to several students who have been identified from the first semester exams. The programs however, are not mandatory and neither are they open to everyone. Both programs are commitments for the Schools, the tutors and the students.

Dean Jackson was quick to describe that Case's program has taken so many different forms. At one time, she said, there were 50 "volunteer" tutors. The program at Case also has either been a one-part or two-part session (fall OR spring or fall AND spring). C-M's session starts in the spring semester.

Evaluations are carried out at the end of the sessions. One of last year's evaluations commended Dean Stewart's acuity in matching tutor's personality and teaching style with the learner's. Selena Castle emphasizes that faculty input is important. She puts great value on the use of exams on reserve at the Library. More than anything else, it is ultimately the student's desire to perform well and commit his or her energy at mastering the law school exam.

The exact number of students participating in this semester's academic support program was not available. Having been one of Selena's learners last year, I can attest to the importance of belonging to a group whose members individually thought that he or she was the only one victimized by the law school exam "spasms". A tutor helps sort out the most important from the less important, the "binding" from the "persuasive", the threshold issues from the main and secondary.

One of the tutors suggested that the support program ought to be introduced earlier before ineffective learning habits take root. Another strongly suggested that if any of those "selected" refuse to make the requisite time and effort, that another take his or her place. I can not agree more. The tutor program is a valuable resource and should not be wasted on or by someone who fails to recognize the dedication of those who make it possible.

Having been its beneficiary last year, I hope the program remains continuous and does not fall victim to the budget ax. One can only wish that it can be an identifiable factor in the improvement of the bar passage record.

C-M STUDENT HELPS SAVE LIFE

By Robin Wilson
Staff Editor

Cleveland-Marshall law student Leslye Huff remembers meeting fellow student Greg Schneider in an evening class a couple of years ago. She recalls asking him what he did for a living and when he told her that he was a firefighter she thanked him for his public service. Huff's Grandmother had survived two house fires and a church fire and she passed along her high respect for people who risked their lives fighting fires to Huff. At the time of their first meeting Huff had no idea that Schneider would be instrumental in saving the life of her Mother.

Fast forward a couple of years and Huff's Mother is visiting her in her Beachwood home for the 1995 Christmas holiday. Sixty-six year old Madeline Bowden has suffered health problems for several years. She had two heart attacks 10 years ago partially caused by a long history of smoking and since that time has been pretty much disabled. Despite her weakened condition on Christmas, Ms. Bowden insisted on cooking Christmas dinner

for her family. It was a lovely dinner and celebration after which Ms. Bowden said she needed to rest. Two hours later Christmas day-evening she awoke and could not breathe. Huff called 9-1-1.

Within minutes the paramedics arrived and who should walk first through the door but C-M evening law student Greg Schneider. He immediately took control. "He was so organized and gave such a calming effect to the situation," said Huff. He explained every step of the way what he was doing to help Huff's Mother so that she would not get more excited. When he took Ms. Bowden's blood level reading, Huff said the blood drained from his face. He couldn't believe Ms. Bowden was still standing. With a 48% blood level reading, which should have been at least 99%, Ms. Bowden should have been unconscious. Schneider lost no time in bringing the blood level up to a range so that Ms. Bowden could be moved. He opened an air passage for her breathing and paramedics moved her to a lo-

cal hospital. If the paramedics had arrived 30 seconds later Huff's Mother would be dead.

Ms. Bowden has been hospitalized at various hospitals since Christmas and underwent a quadruple bypass. She should be released into Huff's care in the next couple of weeks. How has Huff been able to handle her Mother's condition along with her law school studies? "It has been unbelievable," said Huff. She has had to drop a class and cut back on her clinic work. In addition, she had to quit her job that she had landed just prior to her Mother's latest illness. Huff is managing the best she can.

Huff has spoken to Schneider on a couple of occasions since her Mother's collapse on Christmas. She credits him with saving her Mother's life. She felt it important that others hear their story and that Schneider know how much his help was appreciated and how noble his "day-job" is.

*"First year they scare you
to death, second year they
work you to death, and
third year they bore you
to death."*

Old law-school adage

THE GAVEL

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C-M ADDS TO SUMMER SCHEDULE

By Robin Wilson
Staff Editor

Cleveland-Marshall will be adding additional courses to its Summer schedule this year in an effort to provide more opportunities for students to take those courses which are in high demand. In addition to the standard Summer courses, C-M will also offer Trial Advocacy; Alternative Dispute Resolution; Interviewing, Counseling, and Negotiation; and a Legal Writing and Litigation Seminar. In addition, second year evening students can get a jump start on their core curriculum by starting Civil Procedure in the Summer.

Also effective this Summer, Business Associations I will no longer be a two credit hour course but will become a three credit hour course entitled Agency, Partnerships, and Limited Liability Associations. It will no longer be a pre-requisite for BA II-Corporations so students can take either or both of the courses depending on their interests.

Assistant Dean Steven Steinglass who is taking over scheduling responsibilities from Dean Carole Sierk who will retire this year after 27 years of service to C-M said that the law school is trying to enrich the Summer schedule by offering a mixture of courses. In addition Dean Steinglass said that he is working with faculty to try to identify a three year schedule to better enable students to plan for sequencing their courses. One of the main criticisms by students has been the lack of information regarding the frequency of course offerings and the three-year schedule will provide more information and help stu-

dents determine in what order they should take particular courses.

Dean Steinglass said that he noted the criticisms of the evening and Summer schedules made by GAVEL staff writer and night student Neil Rubin in last month's issue of the Gavel. In his article entitled "A Mid-term Report Card for Our Own C-M College of Law" Rubin stated that, "A strong argument can be made that ALL Summer courses should only be offered in the evening." Steinglass agrees that "evening should be the richest spot for classes during the Summer" but he said that day classes are also needed. "Offering classes at night and during the day makes for a better schedule for all." History has shown that morning classes are well received during the Summer and will continue to be offered, said Steinglass.

GAVEL writer Neil Rubin in his article last month was also critical of the fact that courses of interest to many students are not offered in the evening. He gave as an example the course Copyrights, Patents & Trademarks stating that it has not been offered after 5:00 p.m. for AT LEAST THREE YEARS, INCLUDING THE SUMMER SESSIONS. Steinglass said that this Summer Copyright, Patents & Trademarks will be offered at 6:00 in the evening. Professor Michael Davis who is returning to C-M following a year's sabbatical will teach the course.

Dean Steinglass said he is always looking for student input and any students who have suggestions or concerns are encouraged to contact him.

FREE ONLINE HELP FOR JOB SEEKERS

StudentCenter, a new free online magazine and research tool for the post-graduation job search, recently went live on the Internet. Unlike any other online job service, StudentCenter is structured in a simple, easy-to-access format and offers the optimal balance between practical, how-to information and offbeat humor to help relieve job search stress.

StudentCenter has already been recommended by Stanford University's online career site as an "outstanding job resource." StudentCenter includes an interactive, easy-to-search database with extensive industry profiles on more than 35,000 companies, so students can instantly retrieve a customized list of options to pursue. Also, StudentCenter offers many interactive services for users to practice important skills and gain immediate feedback. The most heavily traf-

ficked part of the site so far has been the virtual interview which gives students an informative and entertaining quiz to help them develop strong answers to key questions. The "Ask Donna" column gives students feedback on important job issues.

The site includes step-by-step guidelines for writing the perfect resume, cover letter, and thank-you notes, as well as lots of other helpful tips such as definitions of career buzzwords and details on legal issues/employment rights. StudentCenter provides descriptions of more than 1,000 industries and will soon introduce an interactive "Career Doctor" to help students discover the right career for their individual skills and interests.

And of course, the creators of StudentCenter think that all work and no fun makes for a boring student, so there's lots of entertainment

See Online Jobs on p.8

C-M STUDENTS GET FREE RIDE ON THE NET

By Barry Saxon
Staff Writer

CLEVELAND -- It may still be winter, but its time to think about surfing. So find that old Beach Boys record you have stashed away, crank up the volume on the stereo, and grab your board, keyboard that is. If you've got a personal computer and you haven't jumped on the information super highway and begun to surf the net, here's your chance. And best of all, as a Cleveland-Marshall student, it's all free.

Besides free access to the Internet the tuition dollars you've already paid can get all the software you'll need to connect to the Internet so that you can begin to enjoy all the snazzy graphics, stereo sound and full motion video for free as well. The only catch is that you have to have a computer and a modem so that you can connect to Cleveland State's mainframe computer which serves as your gateway onto the Internet. It's this connection which enables you to get all the benefits of the net. You'll need a sound card and graphics card as well. The good news if you are planning to buy a new personal computer is that most newer computers have these capabilities built in. If you have an older computer which doesn't have these capabilities it can usually be upgraded at a reasonable cost.

The Internet is a worldwide agglomeration of government, business, and educational institutions along with private individuals joined in a massive sharing of information and ideas. Once on the network, your computer can give you instant access to anyone else's. You can connect to the Pope's computer in the Vatican, Bill Clinton's in the White House, or go shopping in an on-line mall. The sheer volume of information is mind boggling. You'll have access to everything from recipes for banana bread to subway maps for Tokyo or Paris, or full

text copies of the Federalist Papers.

To get your free access to the Internet you will need a "SLIP ACCOUNT" on CSU's mainframe computer system. Getting the account is easy. Simply go to Information Services on the 11th floor of Rhodes Tower, room 1104 and pick up a "SLIP ACCOUNT FORM," complete the form, have it signed by any faculty member, return it to Information Services and your account will be activated in a few days.

When you have your SLIP ACCOUNT, you'll need the software too. Included with the software you get will be a free educational copy the NETSCAPE. Netscape is the software which will connect you to the World-Wide-Web, the latest and most advanced incarnation of the Internet. Netscape is a "web-browser" which will enable you to move quickly and easily from place to place on the Internet as well as provide the capability to search for specific topics in which you may have an interest. If you're using an IBM or IBM-compatible computer the software you'll need is available from the Computer Science Association office located at MC212 in the main classroom building. Their phone number is 687-5599. If you're using a Macintosh, software is available from Consulting Services, located at RT1104 in Rhodes Tower. Their phone number is 687-2583.

If you don't have a computer at home and want to cruise the Internet all is not lost. The main campus library has several terminals which you can use to log on to the Internet and surf the World-Wide-Web.

Besides free Internet access, all students at Cleveland State automatically get a free e-mail account on the University's Viking system. You can log on to this system from any ter-

See Web on page 5



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WLSA ADVISES WOMEN ON INTERVIEWING

By Susan French-Scaggs
Staff Editor

WLSA sponsored a mock interview on March 4, 1996 to show women law students how to handle those inappropriate questions that they are asked while interviewing for employment. The Honorable Patricia Hemann, U.S. Magistrate; Ms. Kathleen Keough, Labor Lawyer; and Ms. Debhora Hiller, C.E.O. of The Eliza Jennings Group were the panelists who participated in the mock interviews.

The types of questions most often asked of women, and almost never asked of men include: Are you married? If not, are you dating seriously and thinking of marriage? Do you have children? If not, when do you plan to have children? Who are you married to, and what does he do for a living? Will you move to another city if your husband is transferred? Who takes care of the kids, and what do you do when they get sick?

Some of the panelists believed that you should indicate immediately that these

types of questions are irrelevant, but how you personally should handle it after you make that statement depends upon your personality and how much you want the job. There are two avenues you can take at this point, you can omit the information that is being requested and expound upon how professional you are, how dedicated you are to becoming the best attorney that firm has ever seen, etc. Or you can go on and tell all, figuring that they will find out sooner or later and just have the theory, take me as I am, or not at all.

All panelists agreed that you should never lie. Lies are almost always discovered after the fact. Even though the questions being asked are discriminatory and irrelevant, it still is not appropriate to lie. The Honorable Patricia Hemann suggested that if the interviewer keeps asking these personal and inappropriate questions, that you can say something like "I sense you have some concerns or reservations about how I will be handling my legal career" and then go on to say

See WLSA on p. 7

RELIGIOUS RIGHT'S SECRET AGENDA EXPOSED

Commentary

By John Burns
Staff Writer

With the Ohio Presidential primary only a few days away, we have constantly been hearing on television of how the "religious right" will affect the outcome of the election and what candidate they support. From the early days of the Iowa caucuses to the present day, the media personalities have loved to try and predict where the religious right vote will go. Many have claimed that the religious right controls the Republican primary and that the GOP candidates have had to pander to these conservative Christians. Many people have talked about the religious right but few people have discussed exactly what their agenda is. I decided to do a little investigating to see if I could uncover the religious right's secret agenda.

Like any good law student, the first place I began my research was in the Lexis/Westlaw room. After several hours of fruitless searching through various databases, I started to become frustrated and decided to type in a natural language search of "What is the religious right's secret agenda?". To my surprise, after several minutes of searching, my request produced only one document. I was very anxious to see what this document was. Anticipation was great as I was very close to exposing the hidden agenda of the religious right. I pulled up the document and it looked very familiar. The document was entitled "The Ten Commandments". I was shocked, could this be the hidden agenda.

Similar to the Contract With America, the Ten Commandments also contain a list of ten legislative proposals. However, these proposals are unlike any legislative initiative to come out of Washington in a very long time. These commandments are not the product of typical Washington activities like focus groups and polling to see what ideas are politically popular. These commandments also are not supported by million dollar television campaigns financed by the major political parties, special interest groups, or large labor unions. These commandments were not written by Washington lobbyist whose large campaign contributions often allow them to write legislation. These commandments are not knee-jerk reactions to controversial political issues like illegal immigration, affirmative action, or gun control.

The Ten Commandments suggests such radical ideas as not killing other human beings, honoring your mother and father, going to religious services every Sunday, (easy enough for football fans in Cleveland) not stealing, (obviously unpopular in Washington), and not coveting your neighbor's wife (Hollywood must be outraged).

After uncovering the religious right's secret agenda, I became confused on why the media says we should be so scared of this group. I next decided to infiltrate this group and discover exactly what kind extremist things they are up to. This past Sun-

day, I decided to sneak into one of their meetings. I called a number and found out they meet every Sunday at 9:00 am, 10:30 am, and at Noon at many sites throughout the entire country. I was surprised that they met this often and had so many meeting places but was assured by their representative that all the meetings are the same and are open to the public.

On Sunday morning, I headed out to the one of the meetings. Once inside the meeting place, code-named "the Church", I found out that the members called the meeting "MASS", an obvious four letter acronym indicating some secret purpose, and that the meetings usually lasted about one hour, depending on how long someone talks during something called the homily.

During the meeting, I looked around and surveyed what type of people were members of this group. There seemed to be a lot of young people there with their families. The group also consisted of a large amount of elderly people, the obvious pioneers and founders of the group. Some people were dressed nice, while others were casual, and some even appeared to be dressed like they had to work later in the day. Everyone seemed to get along, were polite to each other, and seemed quite friendly.

During the meeting, I was able to secretly obtain a copy of the groups radical functions that were planned that week. The activities included a food drive to help feed the homeless, a social activity for single and divorced individuals, and a "fish fry" every Friday through April (environmentalists must be outraged at this). A youth group meeting was also scheduled but I noticed that no band was listed and there was no cover-charge to get in so I didn't quite understand why young people would go.

A few moments later, I thought I had exposed the group for the extremists they were. During the middle of the meeting, someone passed me a basket and asked me to make a small contribution if I could. At last, I knew there had to be some way to finance this group's radical activities. I asked where the money went, suspecting it went to buy automatic weapons and pay Washington lobbyists, but was surprised to find out that the contributions went to such controversial things such as financing a grade school, supporting a homeless shelter, buying food and distributing it to people that needed it, and helping to support some of the older members of the group.

All during the meeting, people were singing, saying "Amen" (an obvious codeword for something), shaking hands and saying "peace be with you", and during the middle of the meeting they even offered a light snack consisting of a piece of bread and a drink of wine.

After the meeting ended, members of the group invited me to something called a pancake breakfast but I declined the offer because I had a small headache from drinking wine

See Agenda on next page

SURVEY RANKS LAW SCHOOLS FOR BETTER AND WORSE

The following rankings were taken from a survey of 22,500 law students. The surveys were taken anonymously, at random, at 165 law schools between 1993 and 1995. The summary of school rankings was published in THE PRINCETON REVIEW STUDENT ACCESS GUIDE TO THE BEST LAW SCHOOLS. The guide written by Ian Van Tuyl can be purchased for \$20 at most area bookstores.

Best Teaching Faculty: Boston University School of Law
School with Highest Quality of Life: Northeastern University Law School
School with Lowest Quality of Life: Harvard University Law School
Most Competitive School: Southwestern University School of Law
Least Competitive: Northeastern University Law School.

Toughest Law School to Get Into: Yale University Law School
Law School Most in Demand: Yale University Law School

Student/Faculty Ratio
Most Favorable: Northwestern University Law School (11 to 1)
Least Favorable: Northern Kentucky University College of Law (27 to 1)

Minority Representation Among Students
Highest: Howard University School of Law (85%)
Lowest: University of South Dakota Law school (3%)

Minority Representation Among Faculty
Highest: Texas Southern University School of Law (83%)
Lowest: Franklin Pierce Law Center (0%)

Proportion of Female Students
Highest: Northeastern University School of Law (66%)
Lowest: University of Kentucky College of Law (28%)

Proportion of Female Faculty
Highest: City U. of New York School of Law - Queens College 58%)
Lowest: Brigham Young University Law School (9%)

Highest Clerkship Placement Rate: Yale University School of Law (48%)
Highest Private Practice Rate: University of Detroit Mercy College of Law (79%)
Highest Public Interest Placement Rate: City U. of New York Sch. of Law-Queens Col. (43%)

Lowest Annual Tuition: North Carolina Central University's School of Law (\$1,364 for in-state tuition)
Highest Annual Tuition: Columbia University's School of Law (\$21,852)

WLSA OFFERS STUDENTS 1K AWARD

The Women Law Students' Association will be awarding a one-thousand dollar (\$1,000) scholarship during Women's History Month in March. The scholarship will be awarded to a financially needy student who is a member of WLSA. WLSA is open to ALL students of Cleveland-Marshall. There is an annual due of five dollars to be a member of WLSA.

Students interested in applying for the scholarship should submit a one page letter to Catherine Buzanski of C-M's Office of Financial Aid as to why she or he is of financial need of the scholarship. The deadline to enter for the scholarship is Friday, March 22nd. The letters of financial need will remain anonymous. Letters will be voted on by members of WLSA on Monday, March 25th so if you plan to vote you must pay your annual dues by that date.

If you have questions as to how to apply for the scholarship or how to become an eligible member of WLSA, please contact an officer of WLSA at 687-2343 or stop by the WLSA office in Room 26. The recipient of the scholarship will be contacted by the financial aid office on Friday, March 29th.

Linda Sandish

WLSA President & Gavel Staff Writer

C-M's CRIMINAL LAW SOCIETY CONTINUES BUSY YEAR

On March 27th the CRIMINAL LAW SOCIETY will sponsor a SUPPRESSION MOTION SEMINAR featuring ED BRYAN from the Lake County Public Defender's Office and PAUL MILLER, who clerks in the office. They will also discuss the real world of legal research in the absence of Lexis and WestLaw. The Society will provide sample motions for all who attend. Join us at 5:30 p.m. in Room 207.

Earlier in March Professor Linda L. Ammons shared with students her insights on Clemency. Few of us will ever

deal with the issue as closely as she has. We commend her courage.

During February and March students had the opportunity of job shadowing attorneys in the Cuyahoga County Public Defender's Office and the U.S. Attorney's Office. The experience prompted serious thought about future employment.

Opportunities exist for pro bono work in the Criminal Law Field, if you are interested leave a note in my mailbox.

Marlene Jennings

C.L.S. & Gavel Staff Writer

SCHOLARSHIP OPPORTUNITY GOES UNCLAIMED

Due to lack of interest by qualified students, the trustees of the J. Patrick Browne Scholarship Fund will not be awarding a prize this year.

Frankly we are mystified why any student would not be willing to try for the \$1,000. award when no research is required, and the criteria are so easy. We feel that, given the first criterion, that the essay must be light in mood, any third or fourth year student should be able to be imaginative enough and should possess enough of a sense of humor to appreciate the idea behind the criteria; we also remember what it was like to be a student in need of money. The odds of winning the Scholarship are far better than the lottery.

We hope that the interest of current second and third year students will be sparked for next year's competition.

The trustees

Web from p. 3

minal on campus. Your account name is the first initial of your first name, a period, and your last name, all in lower case, (e.g.: b.saxon). Your password is your student ID number followed by a one (1) or zero (0) and can be changed when you log on to the system. Your e-mail address on the Vikiing system is your account name followed by "@csuohio.edu" (e.g.: b.saxon@csuohio.edu).

You may already have your "omega" account through the law school library which gives you an e-mail address and access to the Internet, but your access to the Internet will be limited to text-only. So if you want to catch the big waves, get your SLIP account and surf the net.

AGENDA from p. 4

so early in the morning. As I drove home, I couldn't figure out why everyone in the media is so petrified of these so-called religious right people. Maybe these people aren't as bad as Dan Rather, Sam Donaldson, respected journalists Kurt Loder, Tabitha Soren, and Bernard Shaw say they are.

*Attorneys never grow old,
they just lose their appeal.*

Marlene Jennings

LITTLE KNOWN FACTS AS C-M LAW SCHOOL PREPARES TO CELEBRATE CENTENNIAL

By Steve Blount
Staff Writer

Editor's Note: Cleveland-Marshall College of Law turns 100 years old next year. Preparations are now underway for a variety of events to celebrate the law school's centennial. In preparation for next year's celebrations, Gavel Staff Writer Steve Blount did some investigating and found out the following little known facts about C-M.

After three or four years of being in it, our law building, like the subject itself, loses much of the initial excitement we felt for it when we first ventured in. Still, it's a great building when you consider its interesting history even if its exterior resembles an oversized brownie. Although the bricks and mortar that make up the building don't nearly approximate what our law school is, since we spend so much of our time within their confines, it wouldn't hurt to learn how the bricks got to be where they are.

Prior to 1977, law school classes were held in Chester Hall, which is now occupied by the School Of Engineering. (I don't know where they were held before that, but judging by the age of our school, they were probably held in an open field, with notes taken on clay tablets). Then, in 1977, Britain's Prince Charles paid a visit to Cleveland State, and in addition to being reportedly friendly to the law students, he formally dedicated the opening of our new law school building.

The cost of the law school's construction was seven million dollars. It occupies one acre of land. According to the building's architect, Gene Maxwell, a big effort was made to be sure that the building had a "soft" entrance - that is, with lots of trees and grass, instead of the so-called "hard" entrances that are found in front of other campus buildings. The bus stop on Euclid was also added.

The architect said research indicated that law students needed a "point of collection, or common point," and this resulted in the placement of the building's atrium. Allegedly, there was a tremendous fight to get a large amount of living flora in the center of the building, because it was feared that the law students would steal the plants and extinguish their cigarettes in the planters. Perhaps this floral arrangement is why we still call it the atrium.

There are 10,000 bricks in the interior of the atrium (One day, I didn't have anything better to do, so I pulled up a lawn chair and counted them all). One nice feature is the pictures of all the previous graduating classes, from 1909 to 1990. (I understand they just finished paying off their student

loans). As you can see, they're all smiling, and I haven't been able to figure out if this is because they're simply glad to be out of here, or if they're laughing at us while we sit in the classes opposite the great chasm, struggling to put ourselves into their same position, so we can laugh at the next bunch of students who come along.

There are other fixtures in the law school worth mentioning, such as the giant printing press in the financial aid office, and the circular tables in the faculty lounge that flip over and become roulette tables for use by faculty members after finals for the assigning of grades. A full description of them will have to wait, perhaps for a future article describing the building to next years students.

In the future, our law building will have an addition as part of the 17th and 18th street block project, which will also include building space for the business school and urban affairs. The new law library will have an area of 84,000 square feet, and the present law library will be refurbished for classrooms, offices, and seminar rooms. The new entrance to the law building will be open in the Fall of 1997.

The law school has a great building, even if its interior does kind of resemble an oversized Kleenex box. I like to think that the walls somehow retain a little of the legal learning with which we leave, and perhaps equally important, some of the laughter and good times we have enjoyed with our teachers and fellow students. And, for that matter, perhaps a few of the disappointments as well.

LL.M. Programs

Loyola University Chicago

Master of Laws in Health Law



Master of Laws in ChildLaw

Application Deadline: May 1!

For more info, please contact:
Graduate Legal Programs
Loyola University Chicago
School of Law
One East Pearson Street
Chicago, IL 60611
(312) 915-7174

BOOK REVIEWS

THE LAW OF THE LAND

The Evolution of Our Legal System

By Charles Rembar

This handy primer for the curious is a delightful and analytical history of the development of the American legal system. The first year student whose undergraduate track is engineering or business, will appreciate the concise interpretation of the legal jargon. The book was published in 1980 and therefore has no scholarly nor satirical commentary on the Menendez or Simpson trials. Apart from that, the information contained therein serves as an effective guide for those arguing their appellate briefs.

Rembar seems to celebrate the three salient features of the Anglo-American legal system: the law as formed via litigation (judicial pronouncements to the parties), the adversarial system, and the trial by jury. By comparison with Roman law (inquisitorial), he depicts the invasion of the ruler's power and influence over the court. The subjects of William, the Conqueror, resented his invasion of their privacy in the entries for the Doomsday Book. (word origin: pagan for law). The Doomsday Book was a survey of owned property (land), its inhabitants, their mills, their animals, servants, etc. It was the equivalent of unreasonable search and seizure.

The author treats the history of trial by jury with wit and sarcasm. He points to the need for the Rules of Evidence to eliminate the errors of witnesses' hyperbole and lapses in memory.

The author rated Justice Holmes 1922 opinion on baseball corporations' immunity from antitrust law as a rare foolish judgement. Holmes held that the corporations operating baseball teams were not engaged in interstate commerce because personal effort, not related to production, was not commerce. Rembar's pervasive wit seeps through by assuming that the traveling team had to leave its equipment at home, thereby causing the home team to frequently win. Some isolated paragraphs reveal more personal sentiments of the author on issues like advertising for lawyers (he thinks it is mostly dishonest and barely useful "even if honestly tried"); First Amendment ("previously treated as a wicker basket, now as a garbage can"); a high regard for the practice of law ("A profession that concerns itself with law and justice should be considerably better than most.").

Chapter 11 takes the reader through notice pleading (basis of jurisdiction, a short and plain statement of the case and a prayer), discovery procedures (deposition, pre-trial conference) and motion for summary judgment. With the Rules of Federal Procedure, Rembar declares that the law has forsaken a pernicious art. The rest of the chapter gives a narrative on the New Deal era: President Roosevelt's influence on Congress and the Court and the imperatives that the country had to live through. This chapter is particularly gripping as one can imagine the gridlock in Congress. There also is a footnote that is pejorative of President Nixon's treatment of the institutions of Government during the Watergate scandal.

Overall, the book is a treasure of valid, useful information.

Evelyn L. Moya
Staffwriter

SCORING HIGH ON BAR EXAM ESSAYS

By Mary Campbell Gallagher

In 1996 nearly 60,000 aspiring lawyers will assemble to take the February and July bar examinations. Many students will sign up for bar review courses to prepare for the computer-scored Multistate Bar Examination (MBE) and to learn state law. The first step-by-step program to help bar candidates prepare for the essay part of the bar exam, which can count for one-half or more of the total score is Scoring High on Bar Exam Essays. Just published by Sulzburger & Graham (previously an ARCO book), Scoring High on Bar Exam Essays is written by Mary Campbell Gallagher, a graduate of Harvard Law School who teaches legal writing to bar candidates and practicing lawyers, and who holds a PH.D in linguistics.

Scoring High on Bar Exam Essays teaches a Model Paragraph format that enables the candidate to write logical and lawyer-like paragraphs under the stress of exam conditions. It teaches a quick Key Outlining System for hitting the issues, focusing on the law, and achieving better results with less writing. It contains 80 actual state bar examinations essay questions and 80 full essay answers. In addition, the book shows how state bar examiners have graded actual bar exam essays, and it analyzes a state bar examiner's grading checklist.

Surprisingly, the author says, every authority from the National Conference of Bar Examiners to the state bar examination graders stresses that getting the right answer is not what counts the most. Instead, Ms. Gallagher says, knowing and skillfully applying the black letter law comes at the top of almost every list, along with demonstrating lawyer-like logic in arguing to the conclusion. Unlike law school essay examinations, the bar examination essays rarely require the spotting of really obscure "issues." They do require orderly thinking, and, as the examiners say repeatedly, "writing like a lawyer."

A widely published writer, Mary Campbell Gallagher has also written selected articles and testimony on legal issues in The New York Observer and Legal Times. She trains law students and lawyers in legal writing, and bar candidates in writing the essay part of bar examinations. She resides in New York City.

FIRST YEAR STUDENTS !!! ISSUE SPOTTING AND EXAM PREPARATION SEMINAR

FRIDAY, MARCH 29
NOON TO 1:30 P.M.
AND
5:15 TO 6:45 P.M.

IN ROOM 201

Anyone interested in attending, please leave your name with Assistant Dean Melody Stewart, Office 123 - Extension 2396 by Tuesday, March 26th.

FOUNDING FATHER: A MORAL BIOGRAPHY OF GEORGE WASHINGTON

By Richard Brookhiser

Following on the heels of William Bennett's *The Book of Virtues*, is yet another McGuffey Reader For Morality, this time by an editor of *The National Review*. At less than 200 pages, *Founding Father* is a short book and can be comfortably put away in less than two hours. This would be ok, if what we got was a compact, succinct treatment that doesn't leave its readers asking questions and quibbling with conclusions. Instead, Mr. Brookhiser gives us little more than a rather slanted opening statement. This is an introduction, to what could be a rather long debate.

It's not just the length, but also the methodology and the contempt for historians that Mr. Brookhiser so obviously feels that detract from this work. As an editor at a national political magazine, Mr. Brookhiser is a busy man. This shows from a perusal of his research sources. He exhibits a profound reliance on secondary sources: virtually the only primary source he uses is the correspondence of George Washington and some of Washington's collected papers. But even more troubling, is the presence throughout this book of several rather superficial slams at historians: in accounting for why Washington is not as highly thought of today as a military leader as he should be, Mr. Brookhiser carps that: "Military buffs are more interested in classy losers." Outside of enumerating these "losers" (one of whom he mistakenly lists as Alexander the Great) he sheds no further light on this rather sweeping and damning remark. Later he brushes aside an important historical methodology as "an old historians parlor game," without even a footnote to explain his contempt.

The trouble in this book starts in the author's preface which Mr. Brookhiser styles as the "introduction." Mr. Brookhiser tells us that he wishes us to get to know the man, George Washington better and blames two historical camps for getting in the way of this. The first is the "humanizers." These are admirers of Washington who constructed stories about him to try to flesh out a character who had largely been preserved only in bricks and mortar. Typical of this group is the 19th Century Parson William Meers who is credited with fabricating the cherry tree story of George Washington's childhood. The second group (to which Mr. Brookhiser takes an instantly recognizably hostile tone) is what he calls "the debunkers." Mr. Brookhiser never gives us a definition of who fits in this group but we can infer that it is later historians who took a rather critical tone towards the father of our country.

This is a rather shallow characterizations of previous George Washington scholarship and it is troubling for a few reasons. First, the two groups are if anything, misnamed. Their aim was not to humanize Washington, but to deify him. The story that we were told as children, that George Washington could not tell a lie, for me at least, matched up with only one other historical figure who I had learned about: Jesus Christ, who also practiced perfect, infallible virtue. As a child I was amazed at the ability of an-

other to be perfectly honest. It was the sign of divinity.

Indeed, if anything it is the "debunkers" who are the ones who want to humanize him. The treatment of the debunkers is the second serious problem in Mr. Brookhiser's historiographic survey. Mr. Brookhiser's understanding of the "debunking" literature is shallow to the point of disgrace. He describes that in their desperate attempt to malign George Washington, the debunkers have been forced to rely on two rather scurrilous, gossipy and completely unreliable contemporary sources: Sir Arnold Toynbee and Thomas Paine (the famed author of *Common Sense*).

As it turns out, the contemporary source that the debunkers rely on most, is the same source that Mr. Brookhiser relies on: George Washington's letters. Washington's letters are as revealing as they are entertaining. For instance, Washington's expressions of his displeasure with political liberty in the Colonies is difficult to find (and impossible to find before 1774) in his letters. However, one does find two other persistent criticisms that Washington levels against the British: one, that he was never given a commission in the Royal Army and two, that Merchants in London were giving him horribly low prices on his cotton. Perfectly legitimate fears of an 18th century gentleman, but ones that call into question his devotion to Political Emancipation. There are also some less flattering correspondence: on one occasion Washington speaks of what can only be considered as an 18th century insider trading deal for land west of the Appalachians. Again, certainly not illegal in the *laissez-faire* 18th century, but hardly of the same stripe as "I cannot tell a lie."

Mr. Brookhiser never discusses either of these issues and while neither of them indicts Washington as a monster, the first indicates that Hillary Clinton wasn't the first person in the White House to have conflict-of-interest problems. While the second demonstrates that Washington was very human indeed. Their omission is curious.

From this troubling beginning, things only get worse before they get better. The narrative of the book opens with the sentence: "The State begins in violence." One wonders if what is going to follow will be either Mr. Brookhiser's public conversion to Maoism or a vigorous defense of the Oklahoma City bombers, better titled: "Timothy McVeigh and George Washington, Separated at Birth?" While we can probably think of ten states in just the last five years which have made their debut on world maps with nothing more than paper cuts for wounds, this opening has more than a comic effect: it's a harbinger of bad things to come. Almost like he's feeding a parking meter, Mr. Brookhiser stops at regular intervals throughout this book to throw out some silly, half-sentence, philosophic *bon-mots*, that sound more like Jack Handey's "Deep Thoughts" than Socrates or Locke.

One of these later *bon-mots*, while not as easily quotable, reveals both the strength and weaknesses present in *Founding Father*. In a rather torturous diversion concerning the influence of

See Review next page

UNIVERSITY SPONSORED HEALTH SERVICES MAY BE IN JEOPARDY

By Andy Nichol
Staff Writer

The United States spends more resources on medical services than any other nation in the world. However, our nation has nearly 37 million citizens without health insurance and millions more who fear losing it. The majority of students at Cleveland-Marshall appear to be no exception.

According to information obtained from Cleveland State University, of the 875 law students enrolled at Cleveland-Marshall, only 178 elected to purchase the University sponsored health insurance. Why? It is unclear. Part-time students may enjoy employer or spousal coverage, but for full-time students, perhaps it may be a matter of economics. Because of the income constraints that face law students, health insurance has become a luxury rather than a necessity. So if health services were no longer supported by the University, how would law students receive cost-free health services?

As the political debate on universal health care rages on in Washington, we students are left to fend for ourselves. Dr. Richard Yates, Director of Counseling, Testing & Health for the University is currently looking for the best way to accommodate the immediate health needs of the student

body, while he keeps a sharp eye on the bottom line. Accordingly, there are services offered to students who do not have the luxury of private medical care. The University, however, is looking perhaps to change the status-quo of its own health clinic.

Collegiate Health Care is a nationwide, for profit organization, interested in providing improved health care services to C.S.U. students. Currently, CHC manages 14 student health services at universities throughout the country. The problem for the University health clinic in supplying health services to the students at C.S.U., in its present capacity, has been the cost to the University budget. This may be of little concern to the students of Cleveland-Marshall, since as we all know, law students are invincible by nature. But perhaps health concerns should be looked at a little closer. In its present form, the free clinic is staffed by nurse practitioners, registered nurses, and a physician. It is funded by less than 4% of the budget collected from student university fees. If the University administration decides to have an independent organization take over health services, then the cost will most likely be passed on to us: the students, thus making health services less accessible to those who

need it most. So what is the solution?

The "undergraduate community" has a Student Health Advisory Committee which represents undergraduate students in such matters and votes on budgetary decisions. The law students, however, are not represented and, therefore, have no voice in the decision making process. Traditionally, full-time law students do not have access to other avenues of health services because they are cost prohibitive. But, if the dilemma of health insurance is not one of the most imminent concerns for a first-year law student, it should be; a two-week absence, because of illness, could have devastating consequences for a first-year student. A student's well-being can greatly impact upon study, focus and class attendance. All of which may mean the difference between success and mediocrity, not to mention the worst case scenario---administrative removal.

The University administration will be making a decision soon as to the future of the University health clinic. Perhaps Cleveland-Marshall students should have a voice in shaping that decision. A Student Health Advisory Committee representing law students would give us that voice, why wait until its too late?

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how diligent you are, how hard you work, indicate facts that prove these statements. Then compliment the firm or company by showing your knowledge of their business or practice and tell how much you want to work there, and what a good job you will do. Keep turning the personal questions about you into your ability to do great things for their firm or company.

The panelists believe that women as a whole are not treated the same during interviews, and during their legal careers. They are not taken as seriously as men. The firms and companies do not, as a whole, think women are as serious about their careers as the men. We all need to exude a sense of power, control, and shrewdness. Given the recent trend toward downsizing, the panelists believe that the firms will be hiring less women in the future.

Some other general rules and guidelines that the panelists suggest are as follows: If you are currently pregnant, wait until after you have the baby to interview. Wear heels on the interview as well as when you are working, women are typically shorter than men, and this helps to lessen the gap. It also gives a better sense of power.

After you get the job, never call in and say your children are sick, always say that you are sick. This is more easily accepted by the firm or company. Never wear pants to an interview or to court. You

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Ancient Rome on Contemporary 18th century culture, Mr. Brookhiser contrasts a rather dull and limp play by Joseph Addison about the death of Julius Caesar that was popular in Britain and the Colonies with the phenomenal and inspired paintings of Ancient Roman historical themes by the great French neoclassicist, Jacques Louis David. From this contrast, Mr. Brookhiser concludes that the French had a more inspired, heroic view of Ancient Rome while The British (and by extension, the Colonists) had an altogether more mundane view. While this is a typically fascinating and creative idea that Mr. Brookhiser has proposed, it is no less typical of his ideas that this one is ridiculous as soon as one moves off the speciously simplistic level. It also reveals a shallowness in Mr. Brookhiser's intellectual methodology. He seems to adore his (admittedly provocative and creative) ideas so much that he is incapable of holding them up to strict scrutiny.

To his credit Mr. Brookhiser has some intriguing ideas that are less ridiculous. He makes the argument that Washington's leadership style was greatly influenced by 18th century books of manners and etiquette. This time he seems to have done his homework. And while Mr. Brookhiser's adoration of Washington undermines the scholarly credibility of his work, it also allows him to paint some dramatic pictures of the man. Mr. Brookhiser's prose moves to an entirely

new level whenever he can use his considerable skills to dramatically depict Washington's actions at a particular moment. His description of Washington's leadership at the Constitutional Convention is extremely moving and genuinely inspiring.

Further, Mr. Brookhiser also deserves to be credited with devising an excellent organization for this book. Dispensing with a straightforward chronological approach that one finds in most popular biography, Mr. Brookhiser lays a foundation and builds upon it. Giving us Washington's life, ideas and moral in successive packets. It adds considerably to the understanding of what is already a quite readable book.

But in the end, the precious moments of this book are too far and few between and the level of historical research and Mr. Brookhiser's willingness to omit information that might detract from the moral example that he wishes us to gain from Washington is extremely troubling. Washington was indeed a great man. But in the end he was a man. Susceptible to attacks of vanity and greed and vengefulness. He had certain qualities that our country desperately needed in our first president and it is for those qualities that he is largely remembered. He is in no need of someone like Mr. Brookhiser, to tidy his historical record. He is capable of standing alone.

Mitch Goodrich
Staffwriter

RED M & Ms

A Poem

By Clinton Scaggs

*All the cheap jewelry I can buy
will not make you bat an eye,
or carve out some time to see me.
Well this is the best gem I can give
it's worth more than any pile of money
passion is what I have
passion does not work by phone
It does not come with a key pad, or a dial tone
It's not explained to you by another, or understood by your mother
It's not to be found in your clothes
It's in your eyes, your fingers, your toes
Passion rests in your flesh, only you carry it around.
Not all humans have passion,
and of those who do, many of them will never understand it
and it's they who are the saddest,
for they have missed it all.
But for us, you and I, the game is afoot.
For we understand passion,
and we find ourselves chasing it like a little rubber ball
It's up it's down it's rolling on the ground
Finally when we grow old and tired, of the chase,
Passion will come to us, but the time in which we could have used it, to its
steamy hot fullest will have long since past.
Don't confuse passion with
lust, love, hate, sorrow, worry, or happiness
Passion makes all of these have a real feel.
Without passion the world would be yes & no, stop & go,
and you would not care what clothes you wore into town,
or if your face had a smile or frown.
So take some time, and my hand, let us, you and I, grab the ball of passion
while we still can.
Let it take us where it will, at least we will have had some fun,
while we're still young,
and old father time will not have won.
Passion is said to be the word "WHY",
along with all the words that follow it.
Don't let our passion become "WHY" as in*

"why didn't I"

"why didn't I"

"WHY DIDN'T I"

C-M'S PRO BONO PROGRAM BACK IN BUSINESS

By Robin Wilson
Staff Editor

A group of dedicated C-M students, alumni, and administrators are working to put a formal Pro-Bono program back on track at C-M. The group has been meeting an various Friday afternoons in the Dean's Conference Room to organize the effort. The group which is headed up by C-M alumna Megan Hensley and Assistant Dean Jean Lifter has been working on restoring the formal Pro Bono program at C-M for a couple of years and is now ready to send students out into the workplace.

C-M's Pro-Bono program will match law students interested in working with public interest attorneys and organizations with professionals in the Greater Cleveland area. The program will enable students to obtain practical experience while helping those in need. If you are interested in participating in the program, please complete the following application and return it to Dean Lifter in the Dean's office. If you know of public interest attorneys who are interested in participating, contact Dean Lifter with the attorney's name or organization at your earliest convenience.

ENROLLMENT DOWN FOR SUMMER RUSSIAN LEGAL STUDIES PROGRAM

By Robin Wilson
Staff Editor

Time is running out if you want to study in St. Petersburg, the czarist capital of Russia, this Summer. Applications for the program must be received by Friday, March 22nd. Last year 10 C-M students participated in the Russian Legal Studies Program which is a joint effort of the Cleveland-Marshall College of Law and Case Western Reserve University's School of Law.

As part of the program, law students spend a month studying law in St. Petersburg, and can receive up to eight credit hours. C-M Professor Jane M. Picker, Co-Director of the Russian Legal Studies Program, said she is surprised at the lack of interest by C-M students in the program this year. According to Professor Picker several students from Akron, Toledo, Case and other Ohio law schools have registered for the program but, as of yet, no students from C-M have done so.

Professor Picker plans to hold a meeting for C-M students in the next couple of weeks during which a video taken by a student who participated in the program last Summer will be available for viewing.

The total cost for the Summer program is \$2,850 which includes tuition, housing (based on double occupancy, however, private rooms are available for an additional \$850), excursions, and class materials. Food is extra and is estimated at between five and 10 dollars per day.

The courses offered include Russian Business Planning with U.S. Comparisons, The Role and Functioning of the International Monetary Fund and the World Bank, Comparison of the U.S. and Russian Legal Systems, and Selected Problems in International Law Affecting Russia.

The program is held June 17 through July 16, 1996. For additional information about the program, contact Professor Jane Picker at 687-2528.

STUDENT APPLICATION FOR THE CLEVELAND-MARSHALL PRO-BONO PROGRAM

NAME: _____

DATE: _____

ADDRESS: _____

HOME PHONE: _____ WORK
PHONE: _____

YEAR IN LAW SCHOOL: _____

DAY & TIME AVAILABLE: _____

PREFERRED AREA OF LAW: _____

PREFERRED LOCALITY FOR WORK (Specify the
City or County): _____

LEGAL EXPERIENCE: _____

LANGUAGES SPOKEN OTHER THAN ENGLISH: _____

CHECK DESIRED PRO BONO OPTIONS:

SHADOWING AN ATTORNEY FOR A DAY: _____

CLIENT INTAKE: _____
DRAFTING MOTIONS: _____

ORGANIZING FILES: _____

LEGAL RESEARCH: _____

OTHER: _____

**FOR FURTHER INFORMATION CONTACT
ASSISTANT DEAN LIFTER AT 687-4557.**

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could wear them at your place of business if it is acceptable. Always have some stock answers ready for the personal and inappropriate types of questions that are asked on interviews.

Interviewers are more concerned with having a conversation with you than discussing what is on your resume. Be ready to discuss your hobbies and interests (other than your kids). Wear make-up on your interview (natural looking) and have a reserved hair style (no braids for African Americans).

Have your resume reviewed by a professional. You need to make your resume look like a legal resume, no matter what your previous experience before law school.

Do your homework on the firm or company, look them up on Martindale Hubbard. Know what they do and how they do it. Be ready to assert how you can be an asset.

Online from p. 3

to make the job search fun. "Odd Jobs" lets students guess how superstars got their start, and "The Vegas Approach" lets students put their future into the hands of chance by randomly selecting a funny fortune and outlandish job suggestion.

StudentCenter's Founder and President, Eve Yohalem, is a 28-year-old entrepreneur and graduate student at Columbia University. Yohalem understands the frustrations associated with job hunting. "The search doesn't have to be a complex, time-intensive scavenger hunt. Rather than pouring through outdated directories and difficult to access CD-ROMs, students can find one-stop information shopping at StudentCenter. We've successfully demystified the job search," she explained.

StudentCenter is appropriately targeted at the largest population accessing the Internet. The 14 million college and university students and faculty represent more than 30 percent of all Internet users. StudentCenter can be found 24 hours a day, free on the World Wide Web at: <http://www.StudentCenter.com>

CLEVELAND'S TRIAL OF THE DECADE HEADED UP BY C-M GRAD

By John Burns
Staff Writer

Judge Kenneth R. Callahan became one of Cleveland-Marshall's most famous alumni when he drew one of the most talked about and watched cases in recent Cleveland history: The City of Cleveland vs. The Cleveland Browns. All cases are assigned randomly by a lottery system and Callahan said the random selection made him "reluctantly famous."

Judge Kenneth R. Callahan graduated from Cleveland-Marshall College of Law in 1981. A life long resident of Cleveland, Judge Callahan attended John Carroll University for his undergraduate work and attended St. Ignatius High School. After graduating from Cleveland-Marshall, Callahan went into general trial practice work and simultaneously served as Assistant and then Director of the Geauga County Public Defender's Office.

Callahan first ran for judge in 1992 against incumbent Burt Griffin and narrowly lost with forty-five percent of the vote. In January, 1993, he was appointed by Governor George V. Voinovich to fill the vacancy of Judge Donald Nugent who was elected to the Ohio Court of Appeals. Callahan was retained in November, 1994 by over ten thousand votes. Callahan is running unopposed this November. Dur-

ing his 1994 campaign he was the preferred candidate of the Citizens League. Currently he is awaiting committee approval of a highly recommended ranking from both the Cleveland and Cuyahoga County Bar Associations. Callahan noted that all of these elections in a row have been very tough on his family.

During the preliminary hearing for a temporary injunction preventing the Browns from moving to Baltimore, Judge Callahan installed security measures both inside and outside of the courtroom for the protection of both parties. Over 40 news organizations from around the country filmed the proceedings through one pool camera.

Callahan has received praise from his colleagues and the legal community for his handling of a potential controversial issue at the beginning of the hearing. During one of his judicial campaigns, Callahan had accepted a five hundred dollar contribution from Browns owner Art Modell. Callahan disclosed this fact on his own initiative to both parties before the proceedings began to avoid any appearance of impropriety. This disclosure kept with Callahan's goal during the proceedings of "keeping all the extrinsic issues out and to concentrate on the

law and the facts". Both sides agreed that it was a non-issue and the proceedings continued. On November 24, 1995, Callahan granted a temporary injunction preventing the Browns from moving until the outcome of a trial scheduled to begin February 12, 1996.

Callahan was extremely impressed by the efforts put forth by Jones, Day, Reavis and Pogue on behalf of the Browns and by Squire, Sanders, and Dempsey's representation on behalf of the City. "It was a great honor to see the high level of professionalism and zealous advocacy exhibited by both firms," Callahan noted. "They represented the highest and best traditions of our profession."

Currently, both parties have agreed to suspend the proceedings. Judge Callahan has asked Cleveland City Council to advise him in writing if any additional proceedings will be needed, although he feels that most likely will not be needed.

Note: This interview was originally scheduled to discuss the outcome of the Brown's litigation. Due to a temporary settlement between the Browns and the City of Cleveland, Judge Callahan was not able to discuss any substantive matters concerning the case.

WRITE FOR THE GAVEL

Deadline April 5th

The Gavel is always seeking interested students, faculty, and administrators to contribute to this publication. If you are interested, stop by the office LB 23, or call 687-4533. Opinion pieces, news articles and cartoons are welcome. Please contact an editor regarding your topic to avoid duplication of efforts.

Contributors become staff members after publishing two articles or three cartoons in the GAVEL. Staff members are eligible to participate in editor elections at the end of the school year. Three editors are elected, each receiving a full stipend from the University.

The opinions expressed herein are those of the articles' authors and not the GAVEL. The GAVEL is not responsible for article content including factual matters.

MY FAVORITE LAW PROFESSOR

By Evelyn Moya
Staff Writer

The title of this piece sounds both juvenile and cynical. But never have I written anything more sincere than my second-grade Valentine's card to my Mom. When life before law school was a grid chart of high and low risks, indices of absolute and relative contra-indications, therapeutic and toxic levels, placebos, side effects, this law professor ushered me into law education by drawing a timeline of the history of the law.

The timeline related to the development of society and (for anthropological interest) included the influence of the triangular sail as opposed to the rectangular in the migrations of peoples. This favorite professor also reassured everyone that law school was not difficult "as say, quantum physics" but that it dealt with "voluminous material." Emphasis was made on the fact that the law is about human relations; that the law is not a phenomenon observable and quantifiable from an Erlenmeyer flask but that the law is generally reactive. For someone like me who thought in terms of balanced equations and linear cause and effect, that timeline was a key for unlocking the learning processes to be used in a maze that would be the arena of my legal education.

For someone who has been subjected to an audit by the IRS or has been subjected to a round of grueling depositions, orientation toward anything jurisprudential is left of center. Such an orientation is generally accompanied by an intense distrust for lawyers and a disdain for the trappings of authority. The orientation becomes a syndrome.

The favorite professor instinctively identifies this syndrome and skillfully draws the maze via which the linear mind will navigate with concepts of duty, mutuality, mens rea, procedure, public policy and stare decisis. Somehow, conceiving of isomers with heir right and left orientations became useful in arguing plaintiff/appellant vs. defendant/appellee; between concurrence and dissent.

According to the favorite professor, time in law school can be difficult so he exhorted everyone to make it worthwhile. Mediocrity and complacency would be fatal.

My favorite law professor screamed and turned purple with disgust (or was it hopelessness) at flawed logic. So he frequently went back to the board and drew some more lines. He illustrated the way out of the maze by citing King Solomon and Beatles lyrics. But he also quoted passages from Samuel and spoke about natural rights and the reasonable, prudent person. My favorite law professor could read pages of Montesquieu in French while simultaneously translating in English; seemed always busy and had so much clutter in his office that I did not know where to stand when I came with a question. He really didn't like being disturbed. The favorite law professor is a gracious host (with an engaging spouse and a stately house) and on occasion can be seen tirelessly applauding a Mahler performance at Severance Hall.

The favorite law professor was the one who challenged the validity of presumptions, instilled respect if not awe for the spirit of the Constitution, taught not with contempt but with deference to whatever it was that simulated a natural feature of the disadvantaged: gray hair, halting speech, "lost look". He was patient and repetitive when necessary. Yet he always wanted more answers, demanded better arguments and banned irrelevance. For him, the letter C is the basic unit of life, the legal cell. When one gets an A, one fears the saying: "Those that the gods seek to destroy, they first call promising."

Everyone has a favorite law professor: the one that walked out because he realized it was the wrong room; the one who was painfully shy so he tried so hard to be menacing; the one that played favorites of students named Baxter; the one who promised an extra point for perfect attendance yet never called the roll.

My favorite would stop a student in the hallway to congratulate him or her for writing a great essay; would call me Monica but not wait for my answer. The favorite kept the office door open and would return panicky questions recorded on the phone mail. This favorite has the posture of one whose evolution is complete: the teaching and continuing learning of the law.

Generations of law students hence will recall that favorite professor and deposit his or her influence into the vault from which one can withdraw funds of wisdom, tenacity, scholarship and the persistent pursuit of what is right and just.

Ms. Moya identifies herself as a non-traditional law student having been a practicing anesthetist for fourteen years. She thanks the professors who taught her in the first year and who have all helped to identify "the favorite" for her: Professors Peter Garlock, Sandra Kerber, Tayyab Mahmud, Steven Steinglass, Walker Todd, and Frederic White, Jr.

St. Patrick's Day

Party at:
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Mon. Martini Night
Tues. \$1.00 Rocks
Wed. Sam Adams Night
Thur. \$1.00 Molson
Fri. Margaritas
& Sol Mexican Beer

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C-M STUDENT INPUT WANTED IN LAW-DEAN SEARCH

By Robin Wilson
Staff Editor

C-M Law Student Michele Berencsi is asking for any student who has input regarding the search for a new law school dean to contact her. Berencsi was recently appointed to the Law-Dean Search Committee. The Committee has already started the process of

searching for a replacement for Dean Steven Smith who leaves C-M at the end of this school year.

The Search Committee has tentatively drawn up the following attributes which it will be looking for in its search. The Committee is looking for someone who has administrative and leadership experience at an ABA accredited law

school; someone who is an academic leader with tenure or tenure qualifications; someone with previous fundraising experience; someone who knows the AALS and ABA accreditation standards; someone who is comfortable with a supportive democratic law school governance among faculty; and someone with a vision to lead C-

M to a threshold of visibility and prominence.

Berencsi, as representative for the student body at C-M said please give her any suggestions or input you might have and she will take that input to the committee. You can leave information for Berencsi in the mailboxes on the SBA's door.

LAW FACULTY AND STAFF NEWS

By Rosa M. DelVecchio

Mark Gooch delivered a presentation on "Internet Introduction and Demonstration of the World Wide Web of Particular Interest to Legal Educators" at a Faculty Seminar at the law school in January. He also published an article, "The Federal Register on the Web: Purdue's World Wide Web Site," in The Internet Connection.

Stephen E. Gottlieb co-authored an article with David Schultz on "Legal Functionalism and Social Change: A Reassessment of Rosenberg's The Hollow Hope: Can Courts Bring About Social Change?" which was published in the Journal of Law and Politics. Professor Gottlieb delivered a presentation, "Three Conservative Justices in Search of a Character," at a Faculty Seminar at the law school in February.

Katherine E. Malmquist, Associate Director, Law Library, published a chapter, "Legal Issues Regarding Library Patrons," in PATRON BEHAVIOR IN LIBRARIES: A HANDBOOK OF POSITIVE APPROACHES TO NEGATIVE SITUATIONS published by the American Library Association.

Patricia McCoy published an article on "The Notional Business Judgment Rule in Banking" in the Catholic University Law Review.

Karin Mika published an article on "One Way to Be Born? Legislative Inaction and the Posthumous Child" in the Marquette Law Review.

Kevin Francis O'Neill co-authored an article with Raymond Vasvari on "Counter-Demonstration as Protected Speech: Finding the Right to Confrontation in Existing First Amendment Law."

Victor Streib edited a casebook, CAPITAL PUNISHMENT CASES, STATUTES, AND STANDARDS, which was published exclusively on disc by Anderson Publishing Company, Cincinnati, and he published an article on "Sentencing Juvenile Murderers: Punish the Last Offender or Save the Next Victim?" in the University of Toledo Law Review. Professor Streib was appointed as a member of the Advisory Board of the Centre of Capital Punishment Studies at the University of Westminster (England) School of Law in January and as the chair of the AALS Curriculum and Research Committee for 1996-97.

Frederic White, Associate Dean, was elected to serve a three-year term on the Board of Governors of Friendly Inn Settlement, a United Way Service.



CSU STUDIES MODELS FOR UNITY

By Marie Rehmar
Head of Reference Services

Cleveland State University celebrated Diversity Week in January with the theme "Weaving the Threads of Unity." The week included the 4th Annual Models of Unity Conference on January 24th. Co-sponsored by several organizations including CSU's Office of Minority Affairs and Human Relations, the well-planned conference workshops featured a range of opportunities to learn from each other, exploring ways of increasing understanding and mutual respect among people and reducing bias and prejudice. Since we regularly think about these issues from a legal perspective, it was useful for a change to consider proactive approaches from other disciplines.

The keynote speaker, Rebequa Getahoun Murphy, the U.N. Representative for the National Spiritual Assembly of the Baha'i's of the U.S., noted that the displacement of people across the planet leaves no nation unaffected. With people being forced to live together, discourse between people is critical. In her opinion, the most important quality in a leader is the ability to bring people together. She also stressed that each of us is responsible for our own actions, and that we can't wait for legislators, administrators, or "the other person." Talking with one another is "where it all begins" "even though it may be stiff and awkward at first." Sometimes the sitting and talking it out as done by elementary school children is a model that can work in other contexts.

The arts offer another means of communication. An unexpected memorable part of the day was a performance by The Yard (Youth At Risk Dancing.) The Yard, directed by Bill Wade, is an all male modern dance ensemble of teens at the Cleveland School of the Arts. Students audition to be selected, and meet regularly after school to rehearse, work on their choreography, and also explore and discuss issues important to them. Among works performed was a particularly powerful duet still in development. The group has dealt with misperceptions it has sometimes encountered, and the members seem to be strong, serious, and striving. Dance career options may be likely for them. Funded by several foundations, this is a "gem" in the Cleveland Public Schools.

A quiet "It's so depressing" seemed

to be the most common reaction following the workshop on The White Racist Movement in America. The Southern Poverty Law Center's video "Shadow of Hate" gave a historical outline that was further developed by Norman J. Raasch, a Cleveland-Marshall alum on the faculty at Lakeland Community College. He has been doing extensive academic research on the KKK, Aryan Nation, and other groups.

Deborah McHamm's workshop "The Importance of Multicultural Literature in Reducing Racism and Gender Bias" I believe met her objective, that following the discussion we wouldn't be looking at children's books in the same way. She recounted how back in 1990 she had been looking for a book for a child for a birthday gift. Believing that it was important that all children be able to see themselves in a book, she had been very disappointed at the choices featuring African-American children. And so, in 1991, to provide greater access to these books, she was one of a small group of women who started A Cultural Exchange, a non-profit organization. In addition to developing the extensive selection of books for children (and adults) available at The Cultural Exchange (12621 Larchmere; 229-8300; Mon. - Sat. 11 am - 5 pm), Deborah McHamm has been very involved in book fairs, diversity programs, in-service training, and other arts projects.

In her discussion, she noted that Ezra Jack Keats' A Snowy Day, a "first" for having an African-American child as the central figure, had a publication date of 1962. As she discussed various titles, she pointed out a number of things, including the following, to consider in analyzing children's books for racism and sexism. Concerning illustrations, check for stereotypes or tokenism and ask "Who's doing what?" In the story line, what is the standard for success, how are problems resolved, and what is the role of women? She mentioned weighing the relationships between people, looking at the heroes, and in general considering the effects on a child's self-image. There are many books that leave something to be desired, but there are an increasing number of excellent titles available. Her enthusiasm was contagious. Even if you don't have any kids, you might still enjoy looking at what's new at A Cultural Exchange.

CHANGE IN OHIO LAW WOULD HELP FEMALE FELONS

At its May 17th meeting the Family Law Section of the Ohio Bar Association will consider an Amendment to the Ohio Revised Code. Under Section 3105.01, "imprisonment of the adverse party" provides a ground for divorce. The Amendment would change "the adverse party" to "either party." In most cases convicted female felons are paroled to their spouse. When that spouse is their batterer or the individual who got them involved in crime, they return to a difficult situation. For many of these women the opportunity to obtain a divorce represents an opportunity for a different way of life. Hopefully that opportunity will be more accessible through the Amendment. The meeting is scheduled in Cincinnati at the Hyatt Regency. For more information contact Marlene Jennings.

C-M'S MOOT COURT TEAMS MAKE ANOTHER FINE SHOWING IN NATIONAL COMPETITION

Cleveland-Marshall's Moot Court brought home another winner for the school at a recent competition in Fort Lauderdale, Florida. C-M's Bailey teams competed at the F. Lee Bailey Competition. Both of the teams that participated wrote second place Petitioner and Respondent briefs. One of the teams, comprised of Tony Stephenson and Ken Hubbard, went three and one before elimination in the quarterfinal round. The other team, comprised of Shelly Fecik and Michael Ernest, made it to the semi-final round before being eliminated. Both teams were assisted by Professor Stephen R. Lazurus while on the road. Professor Lazurus accompanied the teams as a "special advisor." Professor Stephen J. Werber is the advisor of Moot Court at C-M. You may contact him for information on how best to win a spot on C-M's Moot Court team or talk with you legal writing instructor.

Also, the Moot Court Board of Governors is raffling off a \$500. Bar/Bri coupon this Spring. The raffle is open to all students (first year's included) and is good toward the purchase of a Bar/Bri bar review course (Ohio Bar only). Howard Rossen, the director of Bar/Bri will refund \$500. in the event the winner has already paid for the Bar review course. Also included in the raffle are gift certificates to eateries and sports events in the Cleveland area. The drawing will be held March 28, 1996. Contact any Moot Court member for raffle tickets.

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Reprinted from *The National Jurist* magazine.

LET'S SET THE RECORD STRAIGHT:

An Open Letter to the Nation's Law Students



Richard J. Conviser
President & CEO

176 West Adams Street, Suite 2100, Chicago, Illinois 60603
(312) 782-6616 • (800) 621-0498 • Fax: (312) 782-2378

Dear Students:

More than 25 years ago, I founded BAR/BRI Bar Review upon two core principles: First, law students deserve the best and most up-to-date bar review possible; second, they should expect their bar review course to maintain the highest ethical standards in informing students about the courses. Since that time, everyone at BAR/BRI has held fast to those principles.

Unfortunately, the nation's newest bar review, West Bar, has not.

In law schools across America, West Bar has blanketed bulletin boards and flooded student mailboxes with misleading flyers and letters. Students everywhere are being asked to believe that BAR/BRI has been stripped of its best and brightest.

I assure you that nothing could be farther from the truth. In over 25 years as the head of this company, I have never responded directly to the claims and puffery of other bar review courses. However, in light of the sheer volume of misinformation, I feel compelled to separate fact from fiction.

FICTION: BAR/BRI's management has left.

FACT: Last year, *two* former BAR/BRI employees started West Bar. Contrary to West Bar's claims, neither ever served as the President or National Director of our company. In fact, both were primarily regional directors with no meaningful input in the creation or editing of materials or lectures. It is true, however, that these two former employees aggressively pursued many of BAR/BRI's attorneys. Their efforts fell flat. Of the more than 50 attorneys working for BAR/BRI nationwide, a grand total of *one* left.

FICTION: All of BAR/BRI's best faculty "went West."

FACT: Here too, West Bar's aggressive pursuit was in vain. BAR/BRI has *over 300 lecturers* in 46 jurisdictions. *Only 10* left to join the two former BAR/BRI employees in their "start-up" bar review. *Seven of these ten* were ranked in the bottom 25% on BAR/BRI student evaluations.

Your bar exam is too important to be left to inexperience. I know that students have historically selected their bar review course based on experience and quality. I trust that BAR/BRI's more than 25 years of preparing students for bar exams nationwide counts as experience. And I am sure that *over 500,000* successful attorneys can vouch for our quality.

We look forward to helping you make the bar exam a once-in-your-lifetime experience.

Sincerely,

Richard J. Conviser

Celebrating Over 25 Years of Excellence